

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

ROBERT A. CHOATE

V.

GALVESTON POLICE DEPARTMENT,
ET AL.

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CIVIL ACTION NO. G-06-219

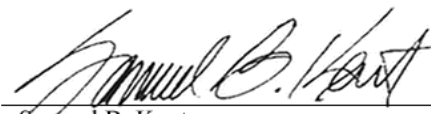
ORDER OF DISMISSAL

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated June 22, 2006, which recommends that the Choate' s complaint be dismissed, without prejudice, for failure to respond to the Defendant' s Motion to Dismiss. Choate was given until July 7, 2006, to file objections to the Report and Recommendation. To date, no objections have been filed.

Having given this matter the appropriate level of review, this Court is of the opinion that the Report and Recommendation should be, and it is hereby, **ACCEPTED** in its entirety and the City' s Motion (Instrument no. 4) is **GRANTED** and **that all state law claims asserted by Choate for false arrest, false imprisonment, assault and battery are DISMISSED.**

It is the further **ORDER** of this Court that **Choate' s complaint is DISMISSED for want of prosecution.**

DONE at Galveston, Texas, this 21st day of July, 2006.


Samuel B. Kent
United States District Judge